

### **REMARKS/ARGUMENTS**

In the Office Action mailed August 9, 2007 (hereinafter, "Office Action"), claims 1-18 stand rejected under 35 U.S.C. § 103. Claims 1, 4, 7, 9, 12, 15 and 17 have been amended.

Applicants respectfully respond to the Office Action.

#### **I. Claims 1-18 Rejected Under 35 U.S.C. § 103(a)**

Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,519,704 to Farinacci et al. (hereinafter, "Farinacci") in view of U.S. Patent No. 5,036,518 to Tseung (hereinafter, "Tseung"). This rejection is respectfully traversed.

The factual inquiries that are relevant in the determination of obviousness are determining the scope and contents of the prior art, ascertaining the differences between the prior art and the claims in issue, resolving the level of ordinary skill in the art, and evaluating evidence of secondary consideration. KSR Int'l Co. v. Teleflex Inc., 550 U.S. \_\_\_, 2007 U.S. LEXIS 4745, at \*\*4-5 (2007) (citing Graham v. John Deere Co. of Kansas City, 383 U.S. 1, 17-18 (1966)). To establish a *prima facie* case of obviousness, the prior art references "must teach or suggest all the claim limitations." M.P.E.P. § 2142. Moreover, the analysis in support of an obviousness rejection "should be made explicit." KSR, 2007 U.S. LEXIS 4745, at \*\*37. "[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." Id. (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)).

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the subject matter in these claims.

Claim 1 recites "receiving, by a server computer, a request to perform a task for a plurality of computers over a network." Farinacci, alone or in combination with Tseung, does not teach or suggest this subject matter. Instead Farinacci states "Node B 301b marks its route to node N 301n 'active', and sends a query packet 403 to all its neighbor nodes 301. In this example, the only neighbor node 301 is node C 301c." (Farinacci, col. 5, lines 50-53). It appears that the Office

Action is asserting that “node C” teaches “a server computer” that receives “a request to perform a task.” (See Office Action, page 2.) A query packet does not teach or suggest “a request to perform a task.” Instead “[q]uery packets . . . may be multicast, in response to losing a feasible successor to a destination.” (Farinacci, col. 7, lines 12-13.) In other words, when “the link . . . between node A . . . and node B fails . . . Node B . . . sends a query packet . . . to all its neighbor nodes.” (Farinacci, col. 5, lines 49-52.) Node B sends the query packet because it lost “a feasible successor [(e.g., node A)] to a destination.” (Farinacci, col. 7, lines 12-13.) The query packet sent from node B merely includes a query to ascertain whether or not any of the neighbor nodes to node B have “a feasible successor [for their] route to [a destination].” (Farinacci, col. 5, lines 43-44.)

In addition, Farinacci does not teach or suggest a server computer that receives “a request to perform a task for a plurality of computers.” As provided above, Farinacci states “Node B 301b marks its route to node N 301n ‘active’, and sends a query packet 403 to all its neighbor nodes 301. In this example, the only neighbor node 301 is node C 301c.” (Farinacci, col. 5, lines 50-53). There is no teaching or suggestion that node C receives the query packet “for [or on behalf of] a plurality of computers.” In fact, Farinacci teaches the opposite. As provided above, Farinacci states “[n]ode B . . . sends a query packet . . . to all its neighbor nodes.” (Farinacci, col. 5, col. 50-52.) If, as the Office Action asserts, “a query packet” teaches “a request to perform a task for a plurality of computers”, then sending the query packet to all the neighbour nodes does not teach “a server computer” that receives “a request to perform a task for a plurality of computers.” Instead, all the neighbour nodes in Farinacci receive the query packet and there is no need for the “request to perform a task” to be sent and received by “a server computer.”

Claim 1 has also been amended to recite “performing said task using a multicast message communicated directly from said server computer . . . [and] performing said task using a unicast message communicated directly from said server computer.” Support for this amendment may be found in Applicants’ specification, for example, page 10, line 22 – page 11, line 4 and page 12, lines 19-20. As previously stated, claim 1 also recites “receiving, by a server computer, a request to perform a task for a plurality of computers over a network . . . [and] receiving, by said server

computer, a request to complete said task from a first computer.” Accordingly, the server that receives “a request to perform a task . . . [and] a request to complete said task” is the same server that communicates “a multicast message” and “a unicast message.” Farinacci, alone or in combination with Tseung, does not teach or suggest this subject matter.

Farinacci clearly teaches that “[n]ode B” and “node C” are distinct and separate from each other. (See Farinacci, Figs. 3, 4A and 4B.) As stated earlier, the Office Action appears to assert that “node C” teaches “a server computer [that receives] a request to perform a task for a plurality of computers over a network.” Thus, according to the assertion by the Office Action, the same “node C” should “receiv[e] . . . a request to complete said task from a first computer.” However, Farinacci states “[n]ode C . . . has no feasible successor for its route to Node N . . . so it [node C] sends a query packet . . . as its response to node B.” (Farinacci, col. 5, lines 53-55.) This passage of Farinacci teaches that “node B” receives “a query packet.” Accordingly, Farinacci does not teach or suggest that the server that receives “a request to perform a task for a plurality of computers over a network” is the same server that also receives “a request to complete said task from a first computer.”

The addition of Tseung does not overcome the deficiencies of Farinacci. The Office Action merely points to Tseung to support the assertion that Tseung teaches “software updates and installs . . . the status table . . . tasks being triggered by events.” (See Office Action, page 3). The Office Action does not point to, and Applicants cannot find, any teaching or suggestion by Tseung of “receiving, by a server computer, a request to perform a task for a plurality of computers . . . performing said task using a multicast message communicated directly from said server computer . . . receiving, by said server computer, a request to complete said task from a first computer . . . [and] performing said task using a unicast message communicated directly from said server computer.”

In view of the foregoing, Applicants respectfully submit that claim 1 is patentably distinct from Farinacci and Tseung. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn because Farinacci, alone or in combination with Tseung, does not teach or suggest all of the subject matter of claim 1.

Claims 2 and 3 depend directly from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 2 and 3 be withdrawn.

Claims 4, 7, 9, 12, 15 and 17 have been amended to include subject matter similar to the subject matter amended to claim 1. As such, Applicants submit that claims 4, 7, 9, 12, 15 and 17 are patentably distinct from the cited references for at least the same reasons as those presented above in connection with claim 1. Accordingly, Applicants respectfully request that the rejection of claims 4, 7, 9, 12, 15 and 17 be withdrawn.

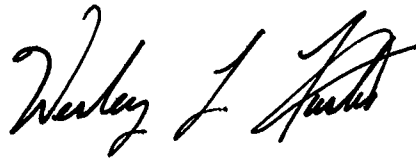
Claims 5 and 6 depend directly from claim 4. Claim 8 depends directly from claim 7. Claims 10 and 11 depend directly from claim 9. Claims 13 and 14 depend directly from claim 12. Claim 16 depends directly from claim 15. Claim 18 depends directly from claim 17. Accordingly, Applicants respectfully request that the rejection of claims 5, 6, 8, 10, 11, 13, 14, 16 and 18 be withdrawn.

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Amdt. dated November 9, 2007  
Reply to Office Action of August 9, 2007

## **II. Conclusion**

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wesley L. Austin". The signature is fluid and cursive, with the first name "Wesley" being the most prominent.

/Wesley L. Austin/

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